

## AN ORDINANCE **97955**

### **AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, OF THE CITY CODE OF SAN ANTONIO, TEXAS, BY CHANGING SECTION 35-311, TABLE 311-2, NON- RESIDENTIAL USE MATRIX, TO REQUIRE A SPECIFIC USE AUTHORIZATION FOR BARS AND/OR TAVERNS IN A "C-2" COMMERCIAL DISTRICT.**

\* \* \* \* \*

**WHEREAS**, the San Antonio City Council adopted the revised Unified Development Code (UDC) on May 3, 2001; and

**WHEREAS**, the UDC allows Specific Use Authorizations to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations; and

**WHEREAS**, the City Council has determined that bars and/or taverns should be permitted in "C-2" Commercial Districts only through the issuance of a Specific Use Authorization permit by the City Council after ensuring that the use can be appropriately accommodated on the specific property, will be in conformance with the Comprehensive Plan, can be constructed and operated in a manner which is compatible with the surrounding land uses and overall character of the community, and that the public interest and general welfare of the citizens of the City will be protected; and

**WHEREAS**, the Zoning Commission recommended approval of this amendment after a public hearing on the matter at which parties in interest and citizens had an opportunity to be heard; and

**WHEREAS**, this Ordinance amends requirements for bars and/or taverns in a "C-2" Commercial Zoning District by requiring a Specific Use Authorization permit approved by the City Council; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The City Code of San Antonio, Texas is amended by adding the language that is underlined (added) and deleting the language that is stricken (~~deleted~~) to the existing text.

**SECTION 2.** Chapter 35, Article III, Section 311, Table 311-2, Non-Residential Use Matrix, of the City Code of San Antonio, Texas is amended by changing Table 311-2, "Non-Residential Use Matrix" as follows:

TABLE 311-2 NON-RESIDENTIAL USE MATRIX												
	PERMITTED USE	O-1	O-2	N-C	C-1	C-2	C-3	D	L	I-1	I-2	ER ZD (LBCS Function)
Alcohol	Alcohol - Bar And/Or Tavern			S	S	<u>S</u>	P	P	P			P 2540

**SECTION 3.** All other provisions of Chapter 35 of the City Code of San Antonio shall remain in full force and effect unless expressly amended by this ordinance.

**SECTION 4.** Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

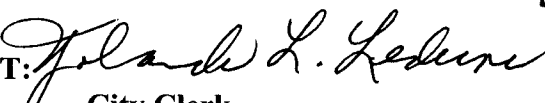
**SECTION 5.** Notice of these changes to the Unified Development Code shall not require the publication in an official newspaper of general circulation in accordance with Chapter 35, Article IV, Division 1, Table 403-1.


**SECTION 6.** The publishers of the City Code of San Antonio, Texas are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing code.

**SECTION 7.** This ordinance shall become effective August 17, 2003.

**PASSED AND APPROVED this the 7th day of August, 2003.**

  
 M A Y O R  
 EDWARD D. GARZA

ATTEST:   
 City Clerk

APPROVED AS TO FORM:   
 City Attorney